

United States District Court, Northern District of Illinois

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| Name of Assigned Judge or Magistrate Judge | ROBERT W. GETTLEMAN | Sitting Judge if Other than Assigned Judge | |
| CASE NUMBER | 09 C 6684 (App. No. 11-3091) | DATE | 12/29/2011 |
| CASE TITLE | Gabriel Dragos Toader (#13965-196) vs. JP Morgan Chase Bank, et al. | | |

DOCKET ENTRY TEXT:

The plaintiff's renewed motion for leave to appeal *in forma pauperis* [#142] is granted. The trust fund officer at the plaintiff's place of confinement is authorized and ordered to make deductions and payments as set forth herein. The clerk is directed to send copies of this order to the trust fund officer at the Eden Detention Facility and the PLRA Attorney, U.S. Court of Appeals for the Seventh Circuit.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

The plaintiff, a federal prisoner, has brought this *pro se* civil action pursuant to the Financial Privacy Act, 12 U.S.C. § 3401, *et seq.* The plaintiff claims that the defendants, two banks, wrongfully released the plaintiff's financial records to government investigators in the absence of any authorization by the plaintiff, a search warrant, or a subpoena authorizing the disclosure of the financial documents. By Memorandum Opinion and Order of August 23, 2011, the court granted the defendants' motions for summary judgment. The plaintiff has filed a notice of appeal from the final judgment.

On October 12, 2011, the court directed the plaintiff to file a renewed, properly supported application for leave to proceed on his appeal *in forma pauperis*. The plaintiff has complied with that order.

The plaintiff's renewed motion for leave to appeal *in forma pauperis* is granted. Pursuant to 28 U.S.C. § 1915(b)(1), the court assesses the plaintiff an initial partial filing fee of \$33.25. The trust fund officer at the plaintiff's place of incarceration is authorized and ordered to collect, when funds exist, the partial filing fee from the plaintiff's trust fund account and pay it directly to the clerk of court. After payment of the initial partial filing fee, the trust fund officer at the correctional facility where the plaintiff is confined is directed to collect monthly payments from the plaintiff's trust fund account in an amount equal to 20% of the preceding month's income credited to the account. Monthly payments collected from the plaintiff's trust fund account shall be forwarded to the clerk of court each time the amount in the account exceeds \$10 until the full \$455 appellate docketing fee

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STATEMENT (continued)

is paid. All payments shall be sent to the Clerk, United States District Court, 219 S. Dearborn St., Chicago, Illinois 60604, attn: Cashier's Desk, 20th Floor, and shall clearly identify the plaintiff's name and the case number assigned to this action. These deductions and payments shall be in addition to any other deductions and payments previously ordered by this or any other court with respect to this or any other action. This payment obligation will follow the plaintiff wherever he may be transferred.

The clerk is directed to send copies of this order to the trust fund officer at the Eden Detention Facility and the PLRA Attorney, United States Court of Appeals for the Seventh Circuit.